SINGLE BENCH

(4)

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. 6425 OF 2006

PETITIONER

Mohan Jute Mills Limited, A Company incorporated Under the Companies Act 1956 having its Corporate & Registered Head Office at 1 Kyd Street, 16A Palace Court, Kolkata & Local Factory Office at Sarangarh Road, Raigarh Through its Managing Director.

VERSUS

RESPONDENTS

1. Employees State Insurance Corporation through the Regional Director, Raipur (Chhattisgarh).

P.R. No. 6482/06
Presented by Shri D. Patel
dated

2. Recovery Officer, Employees State Insurance Corporation, 18, South Avenue, Choubey Colony, Raipur(Chhattisgarh)

3. Director of Supplies & Disposals, Ministry of Commerce, Directorate of Supplies & Disposals, 6, Esplanade East, Kolkata – 700 069

4. Dy. Controller of Accounts Ministry of Commerce, Directorate of Supplies & Disposals, 15, R. N. Mukherjee Road Kolkata – 700 069

OATH COMMISSIONER APARNA MALVIYA CG/2073/06 26/11/06 Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP(C).NO.6.4.05 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21.11.2006:- Shri Manindra Shrivastava, Sr. Advocate with Shri Devendra Patel, Advocate for the petitioner. Heard. By this writ petition, the petitioner has questioned legality of the orders dated 15-11-2006 and 17-11-2006 (Annexures-P/1 & P/2) passed by the Labour Court, Raigarh whereby the Labour Court in the capacity of Employees State Insurance Court has passed an order that without hearing opposite party no interim order can be passed on the communication dated 8-11-2006 made by the Assistant Director of Supplies & Disposals to the Deputy Controller of Accounts for withholding the payments due to the petitioner, as the petitioner has not deposited the Employees State Insurance amount. As the matter has already been fixed by the Labour Court for 27-11-2006 and today is 21-11-2006, therefore, I do not find any reason to interfere with the court order. However, it is made clear that Learned Labour Court to pass appropriate order, after hearing both the parties, on the date already fixed on the interim prayer made by the petitioner, in accordance with law. In view of the above, the writ petition is disposed of. Consequently, M.(W.)P. No.4706/2006 and I.A. No.10965/2006 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C.Bhadoo** **Judge**	

Barve

P.T.O.

21.11.06